

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No.: 12-md-2323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Hon. Anita B. Brody

Civ. Action No. 13-cv-01676

MOTION TO INCLUDE THE BUSH PLAINTIFFS IN THE "LIST OF PENDING
ACTIONS IN MDL 2323 INVOLVING OPT OUT PLAINTIFFS"

I. INTRODUCTION

Plaintiffs LEWIS BUSH, deceased by his Successor in Interest DEE BUSH, DEE BUSH an individual; DANIELLE BUSH, and individual, LEWIS BUSH, Jr., a minor, by his Guardian ad Litem, ELIZABETH FOX, AND MAKAI BUSH, a minor, by her Guardian ad Litem CLEO BUSH, hereby move this Court to include their case "*Bush et al. v. NFL et al.* (13-cv-4549)" in the "List of Pending Actions in MDL 2323 Involving Opt Out Plaintiffs."

A. Summary of the Argument.

The Bush plaintiffs timely opted out of the proposed class settlement and their case was identified as number 36 on Exhibit "1" to the "OPT OUT REPORT SUBMITTED BY THE CLAIMS ADMINISTRATOR" (Doc. No. 6340-1) filed in this Court (Doc. No. 6340) on November 3, 2014. Yet, Attachment "A" this Court's July 13,

2016, Order informing litigants of an Organizational Meeting of all Opt Out Plaintiffs to be held on September 12, 2016 (Doc. No. 6872), the List of Pending Actions in MDL No. 2323 Involving Opt Out Plaintiffs, makes no reference to the Bush family case (*Bush et al. v. NFL et al.* (13-cv-4549).)

B. The Bush Family

Lewis Bush was a player in the NFL for 10 consecutive seasons; playing for the San Diego Chargers from 1993 through 1999 and the Kansas City Chiefs from 2000 through 2002. The Bush family has alleged, and intends to prove, that Lewis Bush died from depression induced heart failure (takotsubo cardiomyopathy) on December 8, 2011. Lewis Bush left behind three children and a wife who are pursuing a wrongful death case under California law against the NFL. Additionally, Ms. Bush is the duly appointed successor in interest pursuing a survival claim under California law on behalf of the estate of Lewis Bush.

Because Lewis Bush had already passed away before the terms of the settlement were negotiated and interred without having the very specialized autopsy necessary to definitively diagnose CTE under the terms of the settlement, the negotiated settlement offered the Bush family absolutely nothing in exchange for a release of all their claims. The Bush family, therefore, opted out.

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II. STATEMENT OF FACTS

A. The Bush Family Timely Opted Out

As reflected in Exhibit “1” to the “OPT OUT REPORT SUBMITTED BY THE CLAIMS ADMINISTRATOR” (Doc. No. 6340-1) filed in this Court (Doc. No. 6340) on November 3, 2014, the Bush family timely opted out of the class settlement. (Attached hereto as Exhibit “A” is a true and correct copy of Doc. No. 6340-1, the list of Timely Opt Out Requests.) Within the list of Timely Opt Out Requests, the Bush family litigation is identified as number 36.¹

B. The Bush Family Case was Recently Not Identified as an Opt Out.

In the “List of Pending Actions in MDL No. 2323 Involving Opt Out Plaintiffs” attached as “Attachment A” to this Court’s Order of July 13, 2016, (Do. No. 6872) setting an Organizational Meeting of all Opt Out Plaintiffs to be held on September 12, 2016, does not identify the Bush family lawsuit. (Attached hereto as Exhibit “B” is a true and correct copy of the Doc. No. 6872.)

It is unknown to the undersigned why the Bush family lawsuit, *Bush et al. v. NFL et al.* (13-cv-4549), is no longer identified as an action involving opt out plaintiffs. Counsel for the Bush family suspects it might just be a clerical error, which should simply be corrected. If not simply a clerical error, the Bush family would like the opportunity to address the issue on the merits, once the Bush family is informed as to why they are no longer opt out plaintiffs in this MDL.

¹ The list of Timely Opt Out Requests erroneously indicates that opt out notices did not include date of birth or phone number, however, the date of birth was clearly identified on each notice and, as the Bush family are represented by counsel, the phone number of counsel was also included.

WHEREFORE, Plaintiffs LEWIS BUSH, deceased by his Successor in Interest DEE BUSH, DEE BUSH an individual; DANIELLE BUSH, and individual, LEWIS BUSH, Jr., a minor, by his Guardian ad Litem, ELIZABETH FOX, AND MAKAI BUSH, a minor, by her Guardian ad Litem CLEO BUSH, move this Honorable Court to include their case "Bush et al. v. NFL et al. (13-cv-4549)" in the "List of Pending Actions in MDL 2323 Involving Opt Out Plaintiffs" and treat their case as an opt out for all intents and purposes.

Dated: August 1, 2016

RESPECTFULLY SUBMITTED:

By: /s/ Neal A. Markowitz
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BUSH, DANIELLE BUSH, LEWIS BUSH,
Jr., AND MAKAI BUSH

EXHIBIT “A”

EXHIBIT 1

NFL**CONCUSSION SETTLEMENT**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION

No. 2:12-md-02323 (E.D. PENN.)

EXHIBIT 1		TIMELY OPT OUT REQUESTS							
	1. Settlement Class Member Name	2. Settlement Class Member Type	3. Address Provided?	4. Phone Number	5. DOB Provided?	6. Government ID Provided?	7. Personal Signature	8. Signature Date	9. Postmark Date
A. Retired NFL Football Players									
1.	Abdullah, Hamza	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	9/15/14
2.	Acks, Ronald William	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
3.	Ahanotu, Chidi	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
4.	Alexander, Jr., Charles F.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
5.	Arnett, Jon Dwane	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/7/14
6.	Ashley Jr., Walker Lee	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
7.	August, Steve Paul	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
8.	Bain, William Ernest	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
9.	Ballard, Howard	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
10.	Banaszak, Andrew Peter	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14
11.	Barnes, Billy Ray	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/7/14
12.	Barnett, Timothy	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
13.	Bass, Michael Thomas	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
14.	Baugh, Thomas Anthony	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
15.	Baumgartner, Steven	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
16.	Beban, Gary J.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	8/15/14
17.	Bell, Bobby L.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
18.	Bell, Gregory Leon	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14
19.	Bernard, Walter	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	No	10/14/14
20.	Berton, Sean	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/8/14
21.	Bethea, Elvin L.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
22.	Bielski, Richard Adam	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
23.	Bing, Darnell L.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/6/14
24.	Bingham, Gregory Raleigh	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	Yes	10/13/14
25.	Blackshear, Rodney T.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
26.	Blair, Michael	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	No	10/14/14
27.	Bonness, Richard K.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
28.	Brannon, Robert	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
29.	Brightful, Lamont	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/13/14
30.	Brooks IV, Robert L.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
31.	Brown, Corwin	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/20/14
32.	Brown, Mike	Retired NFL Football Player	No	No	No	No	No	No	Email 10/13/14
33.	Brown, Ronald	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14

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	1. Settlement Class Member Name	2. Settlement Class Member Type	3. Address Provided?	4. Phone Number	5. DOB Provided?	6. Government ID Provided?	7. Personal Signature	8. Signature Date	9. Postmark Date
74.	Grier, Roosevelt	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/6/14
75.	Griffin, Jr., Leonard James	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
76.	Griffin, Raymond E.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	8/19/14
77.	Hackett, Barry Dean	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
78.	Hamilton, Ben	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
79.	Hamilton, Harry E.	Retired NFL Football Player	Yes	Yes	No	No	Yes	Yes	10/14/14
80.	Harrison, Jerome Charles	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
81.	Harry, Emile Michael	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
82.	Healy Jr., William R.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
83.	Hicks, Dwight	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14
84.	Hill, Calvin	Retired NFL Football Player	Yes	Yes	Yes	No	Yes	Yes	10/14/14
85.	Hill, Kent	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
86.	Hill, Marcus A.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
87.	Hilliard, Lex Douglas	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
88.	Hoover, Bradley Ray	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
89.	Iorio, Joseph W.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/9/14
90.	Izzo, Larry	Retired NFL Football Player	Yes	No	Yes	Yes	No	Yes	10/14/14
91.	Jarvis, John Bruce	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/7/14
92.	Jefferson, Jr., Roy Lee	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
93.	Jenke, Noel C.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	No	10/14/14
94.	Johnson Jr., Ted C.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
95.	Jones, Donald Ray	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
96.	Jones, Frederick Cornelius	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
97.	Kelly, Eric Francheste	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
98.	Kelly, II, Patrick	Retired NFL Player -Filed by Representative	Yes	Yes	No	Yes	Yes	Yes	10/14/14
99.	Kennedy, Jr., Jimmy Wayne	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	Yes	10/10/14
100.	Kenney, Stephen F.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
101.	Kenney, William Patrick	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
102.	Kingsriter, Douglas James	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/13/14
103.	Koncar, Mark	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/8/14
104.	Kosar, Bernard J.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
105.	Krakau, Mervin F.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
106.	Krause, Paul James	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/7/14
107.	Kunz, George J.	Retired NFL Football Player	Yes	Yes	Yes	Yes	No	No	10/14/14
108.	Lanier, Sr., Willie Edward	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
109.	LaRose, Marvin Daniel	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
110.	Larson, Gregory K.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14
111.	Lewis, Albert R.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
112.	Lowe, Woodrow	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14

TIMELY OPT OUT REQUESTS

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	1. Settlement Class Member Name	2. Settlement Class Member Type	3. Address Provided?	4. Phone Number	5. DOB Provided?	6. Government ID Provided?	7. Personal Signature	8. Signature Date	9. Postmark Date
149.	Preece, Steven Packer	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
150.	Pritchard, Ronald David	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/9/14
151.	Ragon, Randy D.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
152.	Reed, Andre D.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
153.	Riggins, Robert John	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
154.	Robinson, Johnny Nolan	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
155.	Rogers, George W.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
156.	Royal, Jr., Robert S.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
157.	Rudnay, John Carl	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	Yes	10/14/14
158.	Schaefering, Brian Christopher	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
159.	Scott III, Jacob E	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/6/14
160.	Scott, Edward	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
161.	Seals, George E.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
162.	Seau, Jr., Tiaina B.	Retired NFL Player -Filed by Representative	Yes	Yes	Yes	Yes	Yes	Yes	10/11/14
163.	Senser, Joseph M.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
164.	Sharpe, Luis	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
165.	Sherk, Jerry Martin	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
166.	Simonini, Ed	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/10/14
167.	Sims, Jr., George Pollard	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/8/14
168.	Smith, Chris M.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
169.	Smith, Jesse Daley	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/8/14
170.	Smith, John Thomas	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
171.	Smith, Neil O.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
172.	Stant, Patrick M.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
173.	Steagall, Derrick	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	No	10/14/14
174.	Steed, Joel E.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
175.	Stein, Robert Allen	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
176.	Still, Arthur B.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
177.	Tant, Jay W.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
178.	Terry, Douglas Maurice	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	Delivery 10/14/14
179.	Thomas, Charles G.	Retired NFL Football Player	Yes	No	Yes	Yes	Yes	Yes	10/14/14
180.	Toefield, LaBrandon	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
181.	Truax, III, William F.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
182.	Trufant, Marcus Lavon	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
183.	Vanover, Tamarick	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14
184.	Voigt, Stuart A.	Retired NFL Football Player	Yes	Yes	Yes	Yes	Yes	Yes	10/14/14

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¹This Opt Out request is subject to the one Revocation of Opt Out request BrownGreer received.

EXHIBIT “B”

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

COPY

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

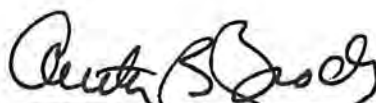
THIS DOCUMENT RELATES TO:

ALL OPT OUT PLAINTIFFS (*see Attachment
A for a complete list of actions involving Opt
Out Plaintiffs*)

Hon. Anita B. Brody

ORDER

An Organizational Meeting of all Opt Out Plaintiffs will be held on **Monday, September 12, 2016, at 1:00 p.m.** in Courtroom 7-B of the U.S. Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.


ANITA B. BRODY, J.
7/13/16

Copies VIA ECF on _____ to:

Copies MAILED on _____ to:

O:\ABB 2016\L - Z\NFL Opt Out Organizational Meeting Order.docx

ATTACHMENT A

List of Pending Actions in MDL No. 2323 Involving Opt Out Plaintiffs

1. *Abdullah, et al. v. NFL, et al.* (12-cv-6774)
2. *Adams, et al. v. NFL, et al.* (13-cv-7661)
3. *Alexander, et al. v. NFL, et al.* (12-cv-1923)
4. *Allen, et al. v. NFL, et al.* (13-cv-5439)
5. *Anderson, et al. v. NFL, et al.* (13-cv-2325)
6. *Anderson, et al. v. NFL, et al.* (13-cv-5206)
7. *Andrews, et al. v. NFL, et al.* (12-cv-4632)
8. *Baggs, et al. v. NFL, et al.* (13-cv-5309)
9. *Bailey, et al. v. NFL, et al.* (12-cv-5372)
10. *Ballard, et al. v. NFL, et al.* (13-cv-2244)
11. *Bauman, et al. v. NFL, et al.* (12-cv-4576)
12. *Boyd, et al. v. NFL, et al.* (12-cv-0092)
13. *Brister, et al. v. NFL* (12-cv-3693)
14. *Brodie, et al. v. NFL, et al.* (12-cv-0861)
15. *Budness, et al. v. NFL, et al.* (13-cv-5078)
16. *Cherry, et al. v. NFL* (12-cv-4121)
17. *Culpepper, et al. v. NFL, et al.* (12-cv-2490)
18. *Demarie, et al. v. NFL, et al.* (13-cv-7659)
19. *Douglass v. NFL, et al.* (13-cv-7376)
20. *Duckworth, et al. v. NFL, et al.* (13-cv-4231)
21. *Everitt, et al. v. NFL, et al.* (12-cv-0731)
22. *Finn, et al. v. NFL* (12-cv-1034)
23. *Foreman, et al. v. NFL, et al.* (12-cv-4160)
24. *Garner, et al. v. NFL, et al.* (12-cv-4634)
25. *Gayle v. NFL, et al.* (12-cv-5212)
26. *Hairston, et al. v. NFL, et al.* (12-cv-0989)
27. *Hannah, et al. v. NFL, et al.* (12-cv-3379)
28. *Henderson, et al. v. NFL, et al.* (12-cv-3534)
29. *Holt, et al. v. NFL, et al.* (12-cv-4185)
30. *Hopkins, et al. v. NFL, et al.* (12-cv-1239)
31. *Horn, et al. v. Kansas City Chiefs Football Club, Inc. Football Club, Inc.* (14-cv-3382)
32. *Hostetler, et al. v. NFL, et al.* (12-cv-2199)
33. *Hughes, et al. v. NFL, et al.* (12-cv-1423)
34. *Jani, et al. v. NFL, et al.* (14-cv-2064)
35. *Jones, et al. v. NFL* (12-cv-1027)
36. *Jordan, et al. v. NFL* (12-cv-2802)
37. *Kenney, et al. v. Kansas City Chiefs Football Club, Inc.* (14-cv-4779)
38. *Lewis, et al. v. Kansas City Chiefs Football Club, Inc.* (14-cv-1995)
39. *Little, et al. v. NFL, et al.* (12-cv-2219)
40. *Monk, et al. v. NFL, et al.* (12-cv-3533)
41. *Morris, et al. v. NFL, et al.* (12-cv-5210)
42. *Morton v. NFL, et al.* (13-cv-7660)

43. *Parrish v. NFL, et al.* (12-cv-1700)
44. *Pear, et al. v. NFL, et al.* (12-cv-1025)
45. *Pugh, et al. v. NFL, et al.* (12-cv-1165)
46. *Richter, et al. v. NFL, et al.* (12-cv-6369)
47. *Scroggins v. NFL* (16-cv-2058)
48. *Seau, et al. v. NFL, et al.* (13-cv-1531)
49. *Seau, et al. v. NFL, et al.* (13-cv-1532)
50. *Simmons, et al. v. NFL, et al.* (13-cv-6354)
51. *Smith, et al. v. Arizona Cardinals Football Club, LLC* (16-cv-1704)
52. *Smith, et al. v. Kansas City Chiefs Football Club, Inc.* (14-cv-3383)
53. *Stabler, et al. v. NFL, et al.* (12-cv-4186)
54. *Steed v. NFL, et al.* (12-cv-1026)
55. *Sweet, et al. v. NFL, et al.* (12-cv-7214)
56. *Wisniewski, et al. v. NFL, et al.* (12-cv-4187)

Certificate of Service

On August 1, 2006, I electronically filed a copy of the foregoing document through the CM/ECF system for the United States District Court for the Eastern District of Pennsylvania, which will send a notice of electronic filing to all counsel of record and make it available for viewing and downloading from the CM/ECF system.

By: /s/ Neal A. Markowitz

Neal A. Markowitz